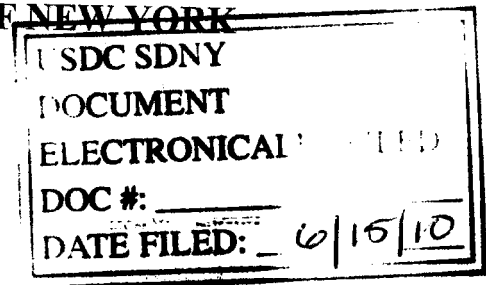


UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK



MIGUEL CHAPARRO

V.

CRIM. NO. 89 CR 99 LLS

UNITED STATES

REQUEST FOR REMOVAL OF COURT APPOINTED ATTORNEY,
AND APPOINTMENT OF NEW ATTORNEY

PRO SE OFFICE (3)

For the reasons stated below, Miguel Chaparro requests this Court to remove attorney John Byrnes as his court-appointed attorney and appoint another qualified attorney to represent him.

1. In or about May of 2007, Chaparro filed with this Court a motion seeking reduction of his sentence pursuant to 18 U.S.C. 3582, premised on USSG Amendment 706, which recalibrated the Guidelines to reflect a 2-point decrease in the base offense levels applicable to crack offenses.

2. In August of 2008, attorney John Byrnes (Federal Defenders of New York, Tele No. 212-417-8735) became counsel in this matter by virtue of this Court's

appointment.

3. Mr. Byrnes, in a letter to this Court dated August 15, 2008, avowed to have "the appropriate papers" filed on Caparro's behalf by September 22, 2008. This did not occur, and still has not occurred.

4. After being spun by Mr. Byrnes on every occasion after that initial contact, it eventually became necessary to contact this Court to complain of the unacceptable delays of the court appointed attorney.

5. On October 19, 2008, your Honor issued a letter admonishing counsel for his gross dereliction in this matter, and indicating to him that it was apparent that Chapporro was unaware that his action had been dismissed (for want of prosecution). Your Honor further advised Mr. Byrnes of its aversion to the prospect of acting as a "conduit of communication" between counsel and his client. Finally, counsel was advised that when he got it together, he would be welcome to recommence the 3582 motion for reduction, should he deem such action warranted.

6. Since that time, counsel has continued to do absolutely nothing.

7. After having Mr. Byrnes contacted by a third party to bridge the communication gap, Mr. Byrnes declared that he would set up a legal call, but has not done so and it has been over 3 weeks now. Mr. Brynes has apparently become so busy again that he is unable to so much as return counsel's emails to him.

8. Chaparro has himself spent the last 6 months perfecting a cogent motion for

reduction which sets out why such reduction is within this Court's discretion to grant and should be granted. He is eager to get it before this Court. (Mr. Brynes was sent a copy of this motion via PDF). It is the intent of Chaparro to request his new court appointed attorney to negotiate with the government for an agreed upon reduction of sentence.

Based on the foregoing, Miguel Chaparro respectfully requests this Court to remove attorney John Brynes as his court-appointed attorney, and appoint another qualified attorney to represent him, for it is apparent counsel Brynes is much too busy with other cases of significance.

Miguel Chaparro
MIGUEL CHAPARRO
27011-054
USP Canaan
PO Box 300
Waymart PA 18472
507-488-8000

DATE: June 10 2010

Certificate of Service

I, the undersigned, certify that I have on this 10th day of June, 2010, served a true and correct copy of the foregoing "Defendant's Motion For the Removal of Present Court-Appointed Attorney and the Appointment of a New Attorney" upon the government by dropping same in the mail, proper postage affixed thereto and addressed as follows.

Signed under penalty of perjury this 10th day of June, 2010.

Miguel Chaparro
Signature